

# COUNCIL

26 NOVEMBER 2013

## REFERENCE FROM CABINET

### **A.1 PRE-SUBMISSION FOCUSSED CHANGES TO THE TENDRING DISTRICT LOCAL PLAN**

(Report prepared by Gary Guiver)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

For the Council to consider and approve 'The Tendring District Local Plan: Pre-Submission Focussed Changes' to be published for consultation with the public and other interested parties prior to the submission of the revised Local Plan to the Secretary of State for examination by a Planning Inspector.

##### **EXECUTIVE SUMMARY**

In November 2012, the Council published the Tendring District Local Plan: Proposed Submission Draft (2012) for public consultation having been approved by Full Council on 11<sup>th</sup> September 2012 with some amendments. The public consultation exercise commenced on Friday 9<sup>th</sup> November 2012 and ended on Monday 7<sup>th</sup> January 2013, a period of just over eight weeks.

During that period, the Council received nearly 800 representations of which approximately 550 were from members of the public and 140 were from landowners or developers promoting their sites for inclusion in the Local Plan. Other representations included those from Town and Parish Councils which, in the majority of cases, were supportive but there were also representations both in objection and support from public bodies such as Essex County Council and Colchester Borough Council – bodies with whom the Council has a legal 'duty to cooperate' in accordance with the Localism Act.

The task of analysing the various representations and considering the need to make any changes to the Local Plan has been approached with the following key objectives in mind:

- 1) to ensure that the Local Plan meets all the requirements of the National Planning Policy Framework and that this can be demonstrated, with robust technical evidence, to a Planning Inspector as part of the examination process;
- 2) to ensure that the Council has complied with the legal 'duty to cooperate' in seeking, as far as possible, to reach common ground with partner organisations and neighbouring authorities;
- 3) to resolve as many objections as possible to gain greater support from our communities and the development industry to reduce the complexity, length and cost of the examination process;
- 4) to address a number of concerns that were raised in informal advice from the Planning Advisory Service (PAS) and the Planning Inspectorate (PINS); and

- 5) to ensure that the Local Plan, as a functional planning document, is up to date, based on latest available information and evidence, technically correct and fit for purpose.

To achieve each of these objectives and give the Local Plan the best possible chance of progressing smoothly through the examination process, your officers recommend that a series of 'pre-submission focussed changes' to the Local Plan be agreed and published for consultation before it is 'submitted' to the Secretary of State to be examined by a Planning Inspector.

The proposed pre-submission changes were first considered by the Cabinet on 4<sup>th</sup> October 2013 and then forwarded to the Community Leadership and Partnership Committee for comments. The comments raised by that committee on 21<sup>st</sup> October 2013 were then considered by the Cabinet on 8<sup>th</sup> November 2013 and a number of amendments were agreed. The minutes from these meetings are printed as part of the Council Book. Since the last publication of these documents for the 21<sup>st</sup> October Community and Leadership Committee meeting, officers have also taken the opportunity to undertake further proof-reading and make any necessary minor factual, typographical and cartographical corrections.

The most significant of the proposed pre-submission focussed changes are as follows:

- Alter the Local Plan's time frame from a 10-year period 2011-2021 to cover a 15-year period 2014-2029 but with specific development proposals only for the first 10 years (up to 2024) and a broad indication of locations where growth might be considered longer-term (post 2024) through a review of the Local Plan at the appropriate time.
- Include, in the Local Plan, a broad indication of the locations likely to be considered for longer-term growth (post 2024) to be explored in more detail when the Local Plan is next reviewed including strategic employment and infrastructure-led proposals in and around Clacton, Harwich and West Tendring/Colchester Fringe.
- Present the strategy for housing growth for the first 10 year period of the Local Plan (2014-2024) in a different way to clearly demonstrate that it is based on robust evidence rather than an arbitrary percentage figure (as has been argued by some objectors) which, in practice, will still result in around 6% increase in housing stock for most of the district's towns and villages whilst incorporating sufficient flexibility for some of the practical limitations affecting particular settlements to be taken into account.
- Include a proposal for a new link road between the A120 and the A133 in the Local Plan along with a new policy specifically on improving the public transport network.
- Combine the policies aimed at controlling the use of shop units in the main shopping areas of Clacton, Dovercourt, Frinton, Walton, Manningtree and Brightlingsea Town Centres into a single policy to ensure consistency of approach and give greater protection against the loss of retail units whilst incorporating sufficient flexibility for town centres to change their offer and appeal in the face of competition from on-line shopping and supermarkets. The Local Plan will still retain much of the supporting text that highlights the unique character of different town centres across the district and the valuable contribution they make, individually, to the local economy.
- Ensure the Local Plan reflects the findings and recommendations in the 2013 Economic

Development Strategy which include supporting businesses to modify and expand, focussing on growth in the care and renewable energy sectors, focussing growth efforts around Clacton, Harwich and West Tendring/Colchester Fringe and facilitating population growth through the construction of more housing.

- Amend the expected housing growth over the time frame of the Local Plan from approximately 3,625 homes over 10 years to an expectation of approximately 5,625 homes over 15 years (378 per annum) to reflect both proposed extension to the time-frame of the Local Plan and the latest evidence of housing land availability. For the latter part of the plan period, this represents a relatively small increase of 16 additional homes per annum.
- Simplify and amend the policies designed to control the size, type and tenure of new housing to reflect the latest housing market evidence and include a sensible level of flexibility so they prevent the construction of cramped, poor quality homes but do not act as a barrier to general housing growth - thus being more in line with national planning policy.
- Amend the standards for 'Aspirational Housing' to reflect the latest evidence on housing demand and viability so that it can be applicable to properties across all sizes, types and tenures rather than just detached properties with 4 or more bedrooms and focus efforts on delivering high quality eco-homes in locations outside of defined settlement boundaries rather than requiring a percentage of dwellings on large sites to meet the definition of 'aspirational'.
- Delete the proposal to build a 'Cliffside Hotel' on land at Anglefield, Clacton-on-Sea from the Local Plan.
- Allocate land off Jaywick Lane and Thorpe Road, Clacton for the provision of two new primary schools and associated early years and childcare facilities to be delivered alongside the housing proposed for those areas.
- Increase the size of the housing development proposed for land at Turpins Farm, Frinton and remove some of the restrictions to allow a mix of dwelling size, type and tenure that is more representative of market demand whilst still requiring a high quality development that respects the character of the surrounding landscape.
- Delete the allocations of employment land at Horsley Cross and Station Road, Parkeston from the Local Plan to reflect the recommendations in the 2013 Employment Land Review which question the genuine deliverability of these sites.
- Allocate land off Stourview Close, Mistley for residential development.
- Delete the site allocated for mixed-use development off Cockaynes Lane, Alresford and instead allocate land off St. Andrew's Close, Alresford for residential development.
- Split the allocation of 40 new homes in Elmstead Market between two sites in each of the respective villages rather than concentrating development on single sites.
- Delete the sites allocated for housing development in St. Osyth from the Local Plan in recognition of the uncertainty over the planning applications for residential enabling development in the village associated with the restoration of St. Osyth Priory.

These are the most significant changes recommended amongst others affecting the Local Plan's policies, supporting text and maps. These are explained in the main body of this report and set out, in detail, in Appendices A1a, b and c in the format that, if agreed by the Council, will be published for six-weeks' consultation.

Following the consultation exercise, the revised Local Plan, incorporating the proposed changes, will be 'submitted' to the Secretary of State to begin the process of examination. However, if any of the comments received during the consultation period continue to raise genuine concerns about the soundness of the revised Local Plan and therefore bring into question the likelihood of the plan being acceptable to the Planning Inspector, these will be reported back to the Cabinet for consideration before any final decision to submit the Local Plan is taken.

## RECOMMENDATION

- a) That the 'Tendring District Local Plan: Pre-Submission Focussed Changes' comprising 'major changes to the written statement' (Appendix A1a), 'minor changes to the written statement' (Appendix A1b) and 'changes to the policies maps' (Appendix A1c) be approved to allow public consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and
- b) That, unless any responses to the consultation exercise raise genuine concerns about the soundness of the plan that might require further changes, the revised Local Plan incorporating the pre-submission focussed changes be submitted to the Secretary of State for examination by a Planning Inspector.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

**Achieving affordable excellence:** The Local Plan, informed by the new Economic Development Strategy, will provide the basis for investment opportunities, which will lead to economic activity to support the district's economy. It will generate funding for infrastructure through a Community Infrastructure Levy (CIL), will result in the grant of 'New Homes Bonus' to the Council for every new home that is created and will provide greater scope for private investors to make positive changes in some of our deprived areas such as Jaywick and Walton-on-the-Naze. New non-residential development will also help increase the Council's revenue under the government's new approach to business rates retention. Recent changes to the way local authorities are funded make it increasingly important to support growth in the district, not only for the sake of the economy, but to also generate the funding needed to sustain the Council's existing services and improve those services in the future.

**Improving public perception and reputation:** The Local Plan, with the recommended changes, reflects the results of four rounds of public consultation and considerable discussions with elected representatives of our communities. It demonstrates very clearly that the Council does listen to the views of its residents and takes those views seriously.

**Helping children and young people to achieve their full potential:** The Local Plan, with the recommended changes, includes a number of policies designed to help future generations achieve their potential. These include policies aimed at delivering local housing that people will aspire to live in, policies to support schools and other educational establishments in improving their facilities, policies aimed toward maximising local training and employment opportunities and policies aimed at improving the general environment in which our children and young people will grow up in.

**Addressing deprivation:** The Local Plan, with the recommended changes, identifies 'Priority Areas for Regeneration' in central Clacton, southern Jaywick, Dovercourt, Harwich and Walton-on-the-Naze – areas that will benefit from investment and economic development. The policies for southern Jaywick, in particular, are radically different from what has been proposed in the past – giving people more freedom to improve their properties and more scope for developers to introduce innovative standards of housing quality, design and flood resilience. These measures have the potential to deliver more positive improvements in the area than the restrictive planning policies of the past and will help to address the issues of deprivation at a time when public funding is extremely scarce.

**Local housing for local people:** The Local Plan, with the recommended changes, contains policies that are specifically aimed at helping to deliver local housing for local people. As well as pushing for 'aspirational housing' to promote prosperity and family life, the Local Plan aims to deliver new Council Housing for local working people on lower incomes who cannot afford to buy or rent housing on the open market.

**Coastal opportunities and protection:** The Local Plan, with the recommended changes, recognises both the importance of our coastline for the local economy and the quality of life for our residents, but also the threats of flooding and coastal erosion that affect local residents and businesses. The plan makes realistic assumptions about the threat posed as a result of global climate change and balances these against the need to generate economic growth and tackle deprivation, particularly in areas like Jaywick and Walton-on-the-Naze. The plan also contains a policy that could enable certain coastal defence works, for which there is no public funding, to be delivered through private funding as a result of small scale residential 'enabling development'.

## RESOURCES AND RISK

**Resources:** The Local Plan, with the recommended changes, has been prepared by the Council's Planning Policy Team under the leadership of the Planning Policy Manager. The costs involved in preparing evidence, printing documents, publicity and examination will be met through the agreed 'LDF Budget'.

**Risks:** Changes are recommended to the Local Plan with a view to minimising any risk of it either being rejected by the Planning Inspector on examination (and thus leaving the Council vulnerable to unwanted and harmful development proposals) or being amended by the Planning Inspector in a way that undermines the thrust of what the Council wants to achieve in the district in the coming years, underpinned by the views expressed by residents.

If the Council proceeds to submit the Local Plan to the Secretary of State for examination without making the recommended changes (particularly the changes to the time frame of the Local Plan, the housing growth strategy and the adjustments to proposed development sites in certain areas), the Council runs a significant risk of the Local Plan being rejected by the Planning Inspector. There

is also a risk that a large number of objections will remain unresolved, resulting in an unnecessarily lengthy, controversial and expensive examination.

If the Council does agree to accept the recommended changes and publish them for consultation, there is a risk that new objections will be submitted by parties disadvantaged by the changes. These are most likely to be from landowners and developers where certain sites are either deleted or reduced in size or from members of the public in areas where a new site has been included or an existing site has been increased in size.

The risks associated with submitting the Draft Local Plan in its current form are considered to be far greater than any risks associated with publishing the recommended changes for consultation prior to submission. The recommended changes are expected to result in many of the existing objections to the Local Plan being withdrawn, a greater level of support from our communities and less risk of unwanted changes from the Planning Inspector following the examination.

If the Planning Inspector chooses to reject the Local Plan over concerns relating to housing numbers, they may require the Council to consider alternative options for delivering an increased level of housing. A significant number of other local authorities have needed to do this in order to proceed with their plans. If this happens, Members may be asked to consider alternative options. However Officers believe there is a strong case for defending the housing figures in the Draft Local Plan, as proposed for amendment, and therefore avoiding the above scenario. Officers will endeavour to put forward a robust and evidence-based argument to the Planning Inspector.

## LEGAL

**Legislation:** Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 state that applications for planning permission must be determined in accordance with the 'development plan' unless material considerations indicate otherwise. The statutory 'development plan' for Tendring, as it stands is the 2007 Adopted Local Plan however, in accordance with the government's National Planning Policy Framework, the policies and proposals in the Adopted Local Plan are increasingly out of date and cannot be afforded full weight. It is therefore essential to progress the emerging Local Plan through the remaining stages of the plan making process so it can become the new statutory development plan.

**Legal Status of the Draft Local Plan:** From 27<sup>th</sup> March 2013 the Local Plan: Proposed Submission Draft (2012) (i.e. the Draft Local Plan) became another source of planning policy, alongside the Adopted Local Plan, against which planning applications are judged. This follows the guidance in the National Planning Policy Framework which discourages Councils from giving full weight to policies in out-of-date adopted Local Plans but allows Councils to give weight to emerging policies in Draft Local Plans where they better reflect the new national policy and where there are either few or not very substantive unresolved objections.

The majority of policies and proposals in the Draft Local Plan received relatively few objections of any severity during the last consultation exercise and, accordingly, the draft plan is being used by Planning Officers and the Planning Committee to determine planning applications. For policies that are the subject of unresolved substantive objections, both Planning Officers and the Planning Committee are exercising a degree of pragmatism and caution when they are applied. This approach will minimise any risk of planning decisions being overturned, on appeal, whilst the Draft Local Plan is still in an un-adopted state.

However, if the Council agrees to publish the recommended changes to the Local Plan for public consultation, it should result in many of the existing objections being resolved and, hopefully, withdrawn. This will increase the level of weight that policies and proposals in the draft Local Plan can carry and further reduce the risk of planning decisions being overturned on appeal whilst the draft Local Plan is still progressing through the statutory process.

**Regulations:** The Local Plan must be prepared, consulted upon and examined in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. These regulations also apply to any significant changes the Council makes to the Local Plan. At the examination, the Planning Inspector will need to be content that these regulations have been followed and that the scope for any legal challenges have been minimised. In accordance with Regulations 19 and 20, the recommended changes, if approved by Full Council, will need to be published for consultation prior to being submitted to the Secretary of State for examination.

**Examination:** Alongside the legal and regulatory requirements, the Local Plan, as amended, will eventually be judged through an examination, by a Planning Inspector, against the following policy tests, as set out by the government in the National Planning Policy Framework. The Local Plan must be shown to be:

- “Positively Prepared” – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- “Justified” – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- “Effective” – the plan should be deliverable over its plan period and based on effective joint working on cross-boundary strategic priorities; and
- “Consistent with national policy” – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

It is important to ensure the Local Plan meets these tests because following the examination, the Planning Inspector will make one of three recommendations to the Council. Either: 1 the Local Plan is ‘sound’ and the Council can proceed to formally adopt it; 2 the Local Plan can be considered sound subject to making some changes; or 3 the Local Plan is ‘unsound’ and cannot proceed to adoption. By publishing the recommended changes for consultation prior to submitting the Local Plan to the Secretary of State, the Council will minimise the risk of the Local Plan being declared unsound and reduce the likelihood of the Planning Inspector requiring further changes.

## **OTHER IMPLICATIONS**

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

**Crime and Disorder / Equality and Diversity / Health Inequalities /Area or Ward affected / Consultation/Public Engagement.**

**Crime and Disorder:** The policies and proposals in the Local Plan, with the recommended changes, aimed at delivering quality homes, tackling over-concentrations of Houses in Multiple

Occupation (HMO's) and taking a more flexible approach to allow economic development and job creation will help, alongside non-planning measures, to tackle crime and disorder.

**Equality and Diversity:** An Equality Impact Assessment of the proposed Focussed Changes will be carried out before it is published for public consultation.

**Health Inequalities:** The policies and proposals in this Local Plan, with the recommended changes, aimed at delivering green infrastructure and providing quality new homes, job opportunities and community facilities will all assist in tackling the district's health problems.

**Area or Ward affected:** All wards.

**Consultation/Public Engagement:** This Local Plan has been informed by comments received during four previous rounds of public consultation:

- 800 comments received in 2009 in response to the Core Strategy Issues and Possible Options Document;
- 1,500 comments received in 2010 in response to the Core Strategy and Development Policies Document;
- 1,400 comments received in 2011 in response to the consultation on Housing Development in Tendring; and
- 800 comments received in 2012/13 in response to the Local Plan: Proposed Submission Draft (2012).

Officers are currently preparing a separate report that summarises the results of the last consultation exercise and explains how, if at all, those comments informed any changes to the Draft Local Plan, subject to their approval by Full Council. It is intended that this report be published as a technical document at the same time as the proposed changes are published for consultation.

If approved by the Council, the focussed changes will need to be published for public consultation in their own right so interested parties have an opportunity to comment on them before the plan, as amended, is submitted to the Secretary of State. Where it is considered that the changes have resolved objections, the withdrawal of those objections will be actively encouraged.

People who wish to object to the focussed changes will be allowed to do so, but unless their objection demonstrates that the draft Local Plan, with the recommended changes, fails the government requirements to be 'positively prepared', 'justified', 'effective' and 'consistent with national policy' (explained above), their objection is unlikely to result in any further changes being required by the Planning Inspector. With this in mind, Councillors will need to accept that it will not be possible to please everyone in the district and in their individual wards, but that the Council has gone much further over the last four years than most local authorities in obtaining the views of local people and genuinely taking those views on board in preparing its Local Plan.

The public consultation exercise will be carried out in line with the Town and Country Planning (Local Planning) (England) Regulations 2012 with regard to the Council's 2008 Statement of Community Involvement.



## PART 3 – SUPPORTING INFORMATION

### THE RESULTS OF THE LAST PUBLIC CONSULTATION

In November 2012, the Council published the Tendring District Local Plan: Proposed Submission Draft (2012) for public consultation having been approved by Full Council on 11<sup>th</sup> September 2012 with some amendments. The public consultation exercise commenced on Friday 9<sup>th</sup> November 2012 and ended on Monday 7<sup>th</sup> January 2013, a period of just over eight weeks.

During that period, the Council received nearly 800 representations of which approximately 550 were from members of the public and 140 were from landowners or developers promoting their sites for inclusion in the Local Plan. Other representations included those from Town and Parish Councils which, in the majority of cases, were supportive and there were also representations from other public bodies such as Essex County Council, Colchester Borough Council and the Environment Agency – bodies with whom the Council has a legal ‘duty to cooperate’ in accordance with the Localism Act.

The most significant comments received during the consultation period are highlighted below:

#### **Comments from ‘Technical Stakeholders’**

A number of responses were received from ‘technical stakeholders’ including partner organisations, infrastructure providers and other public bodies. Through the Localism Act, the Council has a ‘duty to cooperate’ with some of these bodies and it is particularly important that any objections from these bodies are addressed, as far as is possible, before the Local Plan is submitted to the Secretary of State otherwise the Planning Inspector can refuse to commence the examination. The most notable representations in this regard were from Essex County Council and Colchester Borough Council:

- **Essex County Council:** The County Council, as the main authority on education, transport and range of other public services, submitted some of the hardest objections to the Draft Local Plan. The objections expressed fundamental concerns about the Local Plan’s short time frame to 2021, the strategy for all settlements to accommodate a 6% increase in housing stock and the rationale behind having very strict policies aimed at controlling housing mix, type, size and tenure.

The County Council was very concerned about the impact of such a thin distribution of housing development across the district on the provision of primary and secondary education, particularly in rural areas and in Clacton. For rural areas there was a concern that the cumulative affect of a large number of small housing developments would put strain on primary schools and increase the need for (and the cost of) free school transport, which would be less of a problem if the development was concentrated on urban areas. For Clacton, there was a concern that the main residential developments to the west and to the north of the town were not large enough to deliver the critical mass of new housing development needed to justify and help pay for new primary schools required in order to avoid placing undue strain on existing schools.

Changes to the time frame of the Local Plan, a change in the way that the strategy for

growth is presented (to demonstrate that it is based on robust technical evidence) should help to address some of these concerns.

With regard to school provision in Clacton, it is recommended that the Council seek to reach an agreement with the County Council to fund the provision of the new schools, if evidence suggests they are needed. The latest evidence on development viability (2013 Viability Testing study) suggests that development in Clacton will not be able to make any significant financial contributions toward infrastructure provision in the short term and therefore the onus must be on the County Council to ensure that sufficient school places are put in place in line with its statutory duties as the education authority.

- **Colchester Borough Council:** As Tendring's nearest neighbour, the Council has a duty to cooperate with Colchester Borough Council and visa versa. Colchester objected to the Draft Local Plan because it was concerned that it would not be acceptable to a Planning Inspector because of the short time frame to 2021, that the strategy for all settlements to accommodate a 6% increase in housing stock was not justified by robust evidence and that the strict policies aimed at controlling the mix and quality of housing could have an unintended impact on the demand for housing in Colchester. The recommended changes to the Local Plan time frame and the changes to the way that the strategy for growth is presented should result in these objections being addressed.

#### **Comments from 'Community Representatives'**

Community Representatives include District Councillors, Town and Parish Councils and other residents' associations and community groups. A small number of District Councillors chose to comment on the draft Local Plan as part of the consultation exercise and those that did were generally in support although there were views both for and against the development proposed for Horsley Cross. Town and Parish Councils were also generally supportive of the draft Local Plan but again there was a mix of views on the Horsley Cross development. A small number of Parish Councils and other community groups raised specific objections to other aspects of the Local Plan. The following were particularly notable:

- **Little Clacton Parish Council:** The main objections from Little Clacton Parish Council were aimed at the housing development proposed for land east of Thorpe Road, Clacton because part of the site falls within its parish and there was a concern about the potential impact of additional traffic on Holland Road. Officers have carefully considered these issues and are content that highway capacity and traffic issues are not sufficient to warrant the deletion of this allocation which, in part, was a substitute for the unpopular development proposed, as part of the Council's 2010 Core Strategy, in Sladbury's Lane.

The Parish Council also objected to some of the policies around Strategic Green Gaps and the extension of Holiday Parks as it was concerned about the potential for the Firs Caravan Park to expand into the designated green gap that currently separates Little Clacton from the main urban area of Clacton. Again, officers have considered these issues and have recommended revisions to the Settlement Development Boundaries around Little Clacton aimed at allaying some of these concerns, but are content that the wording of the relevant policies need not change.

Officers anticipate that at least some of Little Clacton Parish Council objections can be addressed.

- **Thorpe-le-Soken Parish Council:** The main objections from Thorpe-le-Soken Parish Council relate to the categorisation of Thorpe-le-Soken as a Key Rural Service Centre where a modest level of new housing development will be allowed, wishing instead for it be designated as a 'dormitory settlement'. This would be contrary to the strategy in the Local Plan aimed at achieving a fair and proportionate distribution of housing growth across all urban and rural settlements, and therefore no change is recommended.

The Parish Council was also concerned about the potential impact of developments proposed for Frinton and Walton on traffic flowing through the centre of the village. These issues have been considered in consultation with Essex County Council Highways and mindful of the fair and proportionate distribution of growth for all areas, these concerns are noted but again no change is recommended.

- **St. Osyth Parish Council:** The main objections from St. Osyth Parish Council relate to the level of housing development proposed for St. Osyth and Point Clear (combined) to meet the proposed 6% increase in housing stock. The Parish Council requested that this situation be re-examined to take into account the high levels of housing development delivered in St. Osyth in recent years, the presence of a considerable number of holiday parks in the parish which substantially increase the summer-time population, the historic road layout in the centre of the village and the uncertainty surrounding the various planning applications for residential 'enabling development' associated with the restoration of St. Osyth Priory.

Mindful of these issues, the situation has been re-examined and it is recommended that these sites be deleted from the Local Plan. The Parish Council's request for the reinstatement of the 'Historic Towns' status (which affects St. Osyth, Harwich and Manningtree) that requires archaeological digging prior to most new development proposals is also accepted as a recommended change to the Local Plan.

- **Lawford Residents Group:** This unofficial residents group submitted an objection, accompanied by a 173-name petition, to the proposals for housing and mixed-use development in Lawford, in particular the development east of Cox's Hill. The group argued that housing development should be more equally dispersed between Lawford and Mistley. However, Lawford Parish Council is actually supportive of this development (which has been drawn up by the developer in close consultation with local stakeholders and the community) because of the range of local benefits it will bring. An outline planning application for residential and mixed-use development on this site was approved by the Planning Committee, subject to necessary legal agreements on 17th September 2013 having considered and addressed all of the relevant concerns. No significant changes to the Local Plan are therefore recommended in response to these objections.
- **Great Holland Residents Association:** This association questions the need to develop 4,000 homes in the district over 10 years because the 2011 Census indicated a reduction in the size of Tendring's population since 2001. The issue of housing supply is covered in more detail elsewhere in this report and whilst officers recommend some changes to the relevant sections of the Local Plan – mainly to the way housing figures are presented, national planning policy is very clear in requiring Councils to boost the supply of housing in their areas and basing their housing figures on up to date evidence of projected need.

## **Comments from Businesses, Landowners and Developers**

Compared with previous consultation exercises, the response from businesses, landowners and developers was largely supportive, particularly with regard to the proportionate spread of development across all towns and villages which presents numerous opportunities for the development industry to bring business and associated employment opportunities to our district.

The biggest objections however came from landowners and developers promoting certain sites that were not allocated for development in the Local Plan and landowners and developers who believe that some of the Council's policies aimed at controlling the size, mix and quality of new housing are too prescriptive and are likely to make some developments economically unviable. Such objections have to be taken very seriously because the thrust of the National Planning Policy Framework is to promote growth, boost the supply of housing and avoid policies that might inhibit development.

The businesses, landowners and developers that raised the most significant objections to the Draft Local Plan are as follows:

- **R.E. Giles (represented by Robinson & Hall LLP):** This Clacton landowner objected to many aspects of the draft Local Plan but is ultimately seeking the inclusion of land south of Burrs Road for a development of approximately 100 dwellings as a more modest alternative to the previous mixed-use development proposal (which included 700 dwellings and the extension of Valley Farm Holiday Park off Sladbury's Lane). That original proposal was identified as an option in the Council's March 2009 Issues and Options Document and carried forward into the May 2010 Core Strategy but attracted an overwhelming level of public objection which was one of the main reasons why that plan was abandoned.

In response to the overwhelming public objection and genuine concerns about the practical deliverability of the scheme (which would require cooperation between the landowner and the neighbouring holiday park to create an acceptable access road), that proposal was not included in the 2012 Draft Local Plan, a decision that was welcomed by residents – with many writing in to support the new plan.

The landowner, mindful of public opinion, has submitted a smaller alternative proposal which is further away from existing residents and not dependent on the neighbouring holiday park. However, concerns about development in this location remain and it is recommended that it not be included in the Local Plan. The site lies immediately east of the Burrs Road level crossing and would be accessed via a narrow lane. Essex County Council Highways has been consulted on this proposal and whilst there would not be a major highway capacity issue resulting from such a development, there is a concern about the safety of pedestrians, including school children, making their way either over the railway line or down Sladbury's Lane to access necessary facilities in the wider area.

If the Council accepts this recommendation not to include this proposal in the Local Plan, it is highly likely that the landowner will wish for his proposal to be considered by the Planning Inspector as part of the examination process.

- **The Burghes Estate (represented by Smith Gore):** This Frinton landowner objected to

many aspects of the draft Local Plan but is mainly seeking that a larger area of their site at Turpins Farm be allocated for housing development and that the strict requirements to limit the development to 50 Aspirational Homes be deleted to allow a more mixed residential development of around 160 homes. The landowner has submitted some helpful supplementary documentation with their representation to demonstrate how the development could be designed to deliver a high quality, low density housing layout that would be sympathetic to the surrounding area, including the sensitive views over Hamford Water.

Having carefully considered these objections alongside the requirements of the National Planning Policy Framework, the recommendation is to make changes to the Local Plan to accept a larger and more mixed residential development, subject to primary school capacity in the area being increased to accommodate the additional children that would result from the scheme and ensuring that the development respects the surrounding landscape. This change is likely to result in these very robust objections from the landowner being withdrawn.

- **Mr. P. French (represented by Navigus Planning):** This Mistley landowner objected to many aspects of the draft Local Plan and is particularly seeking the inclusion of land north of Stourview Close for a housing development of approximately 60 homes. This site was excluded from the Draft Local Plan over concerns about achieving a suitable vehicular access via the adjoining housing estate and the potential visual impact of development in this location, which forms part of the proposed extension to the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB).

The landowner has submitted evidence on visual sensitivity which suggests that the site adds very little to the natural beauty of the wider area and has also identified a potential means of access that, subject to acquiring the necessary land, provides an acceptable highways solution. Mistley Parish Council has indicated broad support, in the past, for this particular site to be developed if there was a need for Mistley to expand. Therefore, the inclusion of this site in the Local Plan for housing development is recommended and should result in the landowner's objections being withdrawn.

- **Knight Developments (represented by Phase 2 Planning):** This developer objected to many aspects of the draft Local Plan and is seeking the inclusion of land west of Church Road in Elmstead Market for a development of approximately 20 homes with a community centre with associated car park and open space. The developer has put together an indicative scheme that has captured the imagination of the community and attracted a significant level of local support along with some counter-objections. This development and the landowner of land off Meadow Close (which the Council allocated for development in the Draft Local Plan) have come to an agreement which will enable both sites to come forward with the requirement of 40 homes split equally between the two sites. Making this change to the Local Plan should secure the support of the main developers and landowners and should address some local objections, but it will undoubtedly result in some counter-objections from Church Road residents.
- **Mersea Homes (represented by ADP Ltd):** This local developer is seeking to promote a longer-term large-scale mixed-use development to the east of Colchester on land crossing the Tendring/Colchester boundary. The developer acknowledges that a development of this scale will take many years to plan and would require Tendring District Council, Colchester

Borough Council and a range of other agencies to work in partnership to bring the scheme forward. They have put forward a compelling argument that it would be in the best interests of both Tendring and Colchester to at least identify this area as a broad location for longer-term growth to enable more detailed planning, involving all the necessary parties, to take place.

This location is considered to have the potential to deliver significant benefits to both residents of Tendring and Colchester in terms of high-quality job opportunities, growth at the University of Essex, improved transport links, new housing and new community facilities and other infrastructure. This potential is recognised in the 2013 Economic Development Strategy. It is therefore recommended that new text and a key diagram be included in the Local Plan explaining and showing that, for the period beyond 2024, this will be one of the broad locations that will be considered for longer-term growth as part of the next Local Plan review. It is understood, for ongoing engagement and discussion, that Colchester Borough Council is likely to support this stance.

- **J. Macauley & sons (represented by Boyer Planning):** This landowner objected to many aspects of the draft Local Plan and is seeking the inclusion of some of his land at Poplar Farm, Wrabness/Wix, north of the A120 for the development of port-centric logistics facility for the loading and unloading of container lorries to support the expanded container port at Bathside Bay, if or when that development takes place. The landowner is pleased that the Council's policies are flexible enough for a proposal of this nature to be considered on its merits at the right time. However they are also keen for a specific site to be shown, to give certainty to potential investors, particularly if the Local Plan's time frame is extended, as proposed.

It is considered that such a facility may be necessary at some point in the future. However, to allocate this site in this Local Plan without a definitive commitment from the port operators to undertake the Bathside Bay development within a certain time-frame would be premature. There is also a concern that accepting the principle of development on this site now may result in pressure for the Council to consider alternative, non-port related, uses in the future if the Bathside Bay development is delayed for any longer than expected.

- **Persimmon Homes (represented by Pegasus Planning Group):** This developer objected to many aspects of the draft Local Plan but is ultimately concerned about the economic viability of the residential development proposed for land at Rouses Farm, Clacton. The objections seek an increase in the size of the allocated site to accommodate a larger number of properties to ensure sufficient critical mass to generate the up-lift in land values necessary to make a viable contribution toward new schools and other community facilities. This is a view also expressed by Essex County Council as the Local Education Authority.

Whilst the principle of allowing additional development is accepted, the Council's latest evidence on land availability and viability testing suggests that the level of development proposed in the Local Plan is realistic for the first 10 years of the plan period and any additional growth would be dependent on a new primary school being developed, for which financial contributions from the developer, in the short term, are unlikely to be sufficient.

It is therefore recommended that land be allocated for the new school and other associated facilities for which alternative sources of funding, including from the County Council, will need to be secured. It is also recommended that any extension to the site to accommodate additional development not be ruled out, but rather than allocating additional land in the

Local Plan, this should be considered in the longer term through a review of the Local Plan at the appropriate time.

- **Taylor Wimpey (represented by Boyer Planning):** This national volume house builder controls the site that was allocated for mixed use development off Cockaynes Lane, Alresford involving 48 new dwellings and employment use. However, the developer suggests the site could and should accommodate more dwellings, upwards of 100. A higher level of development in this location is not considered acceptable as it would significantly undermine the thrust of the Council's strategy for achieving a fair and proportionate approach to growth across the district. It would also bring into question the sustainability of the overall strategy if larger housing stock increases (upwards of 12%) were proposed for one rural village when most other settlements, including urban areas, will deliver 6% growth.

There were also a number of local objections to the proposal in the Local Plan and a public meeting was held in the village in April 2013 where a large number local people put forward their concerns. These concerns were also considered by the Community Leadership and Partnership Committee at the 21<sup>st</sup> October meeting. This proposal has been re-evaluated in response to local concerns about the suitability of the proposed access point via Cockaynes Lane and the environmental damage that the reconfiguration of the lane would cause which has included consultation with Essex County Council Highways. It is proposed that the development proposed for land off Cockaynes Lane be deleted from the Local Plan and that an alternative site off St. Andrew's Close, to the south of the village, be allocated for residential development.

Whilst this change may address some local concerns, it is likely to result in strong objections from Taylor Wimpey and resulting discussion in front of the Planning Inspector as part of the examination process.

### **Comments from Members of the Public**

Approximately 550 of the 800 representations received (nearly 70%) were from members of the public. Compared with previous consultation exercises, there were a large number of comments in support of the Draft Local Plan, particularly with regard to the fair and proportionate spread of development across all towns and villages. The majority of objections from members of the public related to a single specific issue or a single specific site in their neighbourhood, although some did take the time to comment on various parts of the Draft Local Plan including some of the policies. The main areas of contention amongst our residents were as follows:

- **Development in Elmstead Market:** Nearly 200 Elmstead Market residents commented on the proposal for 40 homes and a new community centre in their village using land off Holly Way/Meadow Close, raising a variety of concerns mainly relating to highway safety. However, many of these objectors also wrote in support of the alternative proposal for development off Church Road submitted by Knight Developments (explained above) where highway issues are equally pertinent. In response to these objections, it is recommended that the development of 40 homes is split equally between the two competing sites, a position that both landowners are expected to support. This change may result in a fair number of the 200 representations being addressed, but there are also likely to be some counter-objections, particularly from Church Road residents.
- **Development in St. Osyth:** Around 50 St. Osyth residents objected to the 6% increase in

housing stock for their village and the specific sites that were allocated for housing development. It is recommended that these developments be deleted from the Local Plan mainly in recognition of the uncertainty over the planning applications for residential enabling development in the village associated with the restoration of St. Osyth priory. This change should address all of these objections.

- **The Anglefield 'Cliff-Side Hotel' Proposal:** More than 40 residents objected to the proposed 'Anglefield Cliffside Hotel' on Clacton seafront. They were mainly concerned about the impact of the development on the Conservation Area, the loss of an attractive open space and the justification for building a new hotel when others in the town were struggling to remain economically viable. It was also highlighted that there is a substantial sewerage pipe running underneath the site that was likely to introduce further complications if development on the site were to take place.

The Cliffside hotel proposal was one of the recommendations from the study entitled 'Celebrate on Sea: Putting the fun back into Clacton' which looked to identify opportunities to boost the tourist offer in the town, however there are concerns about the realistic deliverability of such a scheme and, to ensure the withdrawal of these objections and increased support from local residents, it is recommended that this proposal be deleted from the Local Plan.

- **Development at Horsley Cross:** Around 30 residents mainly from Horsley Cross and the Tendring Parish objected to the proposed development at Horsley Cross mainly concerned over the sustainability of development in this location and the potential impact on traffic, highway safety and the character of the open countryside. This proposal has divided opinion amongst residents, Town and Parish Councils and indeed District Councillors so officers have taken great care to come to a balanced view informed by the very latest evidence provided by the Economic Development Strategy and Employment Land Review.

On balance, officers recommend the deletion of this proposal from the Local Plan for being in a remote location, a considerable distance from any major area of population and questionable in terms of deliverability. The Council's 2013 Employment Land Review suggests that there is unlikely to be any significant commercial interest from the business and industrial sector for accommodation in this location.

This follows a consistent trail of evidence advising against development at Horsley Cross including the Secretary of State's 2008 decision to call in and then overturn a Planning Committee decision to approve planning permission at this site and the Council's last Employment Land Review from 2010 which advised against the allocation of this land.

At the time of writing, there was a planning application under consideration for the southern half of the site however it has not been possible to ascertain with any certainty, from the landowner, whether there was any genuine commercial interest in the site or whether the proposal is simply speculative.

- **Walton Mere:** Nearly 20 residents of Walton-on-the-Naze objected to the policy encouraging a mixed-use development at Walton Mere, a proposal that was identified in the 2010 Walton-on-the-Naze Regeneration Framework as a project that could bring a significant economic boost to the area. The main concern is that development at the Mere would cause unjustifiable damage to a wildlife habitat that has established itself over many



years and would bring about other detrimental impacts to the character and infrastructure of the area.

However, from an economic regeneration perspective, a development at the Mere could bring about significant benefits to a struggling local economy and Frinton and Walton Town Council has indicated in-principle support for development so long as the policies in the Local Plan are sufficiently flexible to allow proposals to be considered, on their merits, at the right time. In complete contrast, the owner of Walton Mere is urging the Council to demonstrate a greater commitment to development by including more detail about the proposal in the Local Plan and therefore provide some certainty over what mix of uses would be acceptable and therefore enable a scheme to be approved as soon as possible.

It will be impossible to reconcile these extreme differences of opinion and therefore it is the general thrust of the policy is recommended to remain unchanged albeit with some additional wording to recognise some of the wider issues that would need to be addressed in any development scheme. This issue is highly likely to be discussed in front of the Planning Inspector at the examination.

- **Development in Ramsey:** The proposed housing development south of Ramsey Road attracted objections from just over 20 Ramsey residents, mainly concerned about the potential loss of the Horse Rangers facility that currently occupies the site. The land owner has however confirmed that he is already in negotiation with the Horse Rangers to relocate them to an alternative suitable site if the development were to proceed therefore no changes are recommended.
- **Development in Lawford:** Alongside the 173-name petition submitted by Lawford Residents Group (explained above), around 15 Lawford residents also submitted individual objections to the proposed housing and mixed-used development proposed for land east of Cox's Hill. However the developer behind the scheme has invested considerable time and effort in engaging with the community and local stakeholders, addressing local concerns and putting together a package of development that will deliver considerable local benefits. For this reason, officers are content that this proposal can remain in the Local Plan and an outline planning application for 150 homes and employment uses on this site was approved, subject to necessary legal agreements, on 17<sup>th</sup> September 2013 by the Council's Planning Committee. No changes are therefore recommended.
- **Settlement Boundaries in Bradfield, Great Holland, Kirby-le-Soken and Little Clacton:** Nearly 50 residents from across these four villages objected to the extent to which the 'Settlement Development Boundaries' had been expanded in order to introduce flexibility for small scale development in line with the strategy for all settlements to accommodate 6% growth. In recommending some changes to the way the growth strategy in the Local Plan is presented and allowing more flexibility for the unique constraints affecting different settlements to be considered, it is also recommended that the settlement boundaries in selected parts of these villages be tightened, which should address some of these objections.

## **THE MOST SIGNIFICANT RECOMMENDED CHANGES**

The most significant recommended changes to the draft Local Plan are explained below:

### **The Time Frame of the Local Plan**

The single most significant recommended change to the Local Plan is to change the time frame of the Local Plan from 2011-2021 to 2014-2029.

The original thinking behind having a shorter time frame to 2021 was that it would help address a fundamental concern expressed by many residents - that too much housing development would result in a mismatch between homes and jobs and lead to further social and economic decline. A short time frame for the Local Plan would therefore enable the Council to closely monitor the performance of the economy, the creation of jobs and the supply of housing in the short term without committing to any long-term large-scale housing developments whilst the economy still remained in a critical and uncertain state.

The shorter time frame would also address the concern amongst some residents that the Council was placing too much emphasis on the importance, for job creation, on the proposed container port expansion at Bathside Bay, Harwich when it was highly uncertain when, if at all, that development would take place. By proceeding with a Local Plan time frame up to 2021, it could be assumed that the Bathside Bay development was unlikely to take place within that time period and the strategy for housing growth could reflect that. But if the development did commence earlier than expected, a more positive strategy for longer-term growth could be put forward through a review of the Local Plan at the appropriate time.

Another reason for the short time frame was that it would allow the preferred strategy for all towns and villages to accommodate the same percentage increase in housing stock to be deliverable, it would enable planned housing growth, particularly in Clacton, to be reduced in scale thus addressing the overwhelming levels of objection received in response to the 2010 Core Strategy document and would enable dwelling completions from 2011 onward and unimplemented residential planning permissions to be included in the figures.

However, Essex County Council, Colchester Borough Council and a number of landowners and developers objected to the short time frame of the Draft Local Plan because they were concerned that it conflicted with the requirements of the National Planning Policy Framework which, amongst other things, requires Councils to identify, in any one year, sufficient land to deliver 5-years worth of housing development. From a practical point of view it would mean that by the time the Local Plan was finally adopted in 2014, it would only have 7 more years to run and therefore to maintain an ongoing 5-year supply of housing sites, the Council would need to review the Local Plan almost immediately to ensure an updated plan, with additional sites, was in place by 2016.

To get an independent view on this issue, officers consulted two Planning Inspectors informally, both of whom expressed strong reservations about the short time frame and suggested that this would very likely result in the Local Plan being rejected. When it was suggested that local people were concerned about a mismatch between job growth and housing development, both Inspectors were keen to point out that the current government's policy is to boost the supply of housing development as a means of generating economic growth and therefore any argument against further housing growth, on economic grounds, were likely to fail. The evidence in the Council's

2013 Economic Development Strategy supports the case that increasing the supply of housing will help to boost economic growth and job creation.

### **Longer Term Growth**

In adjusting the time frame of the Local Plan to a 15 year period 2014-2029, the Local Plan will need to indicate where growth is going to take place over that extended period. The National Planning Policy Framework requires Local Plans to identify specific sites to meet housing requirements for the first 10 years of a plan's time frame but for the last 5 years, there is more flexibility to identify 'broad locations' where future growth might take place if it is not possible to identify specific sites.

As explained in more detail under 'the spatial strategy' and 'housing supply' below, it is possible to identify specific sites for 10 years housing development without having to make any fundamental changes to the strategy in the plan or having to introduce many additional sites. However, for the period beyond 10 years (i.e. beyond 2024) it is not possible to identify specific sites without making fundamental changes to the strategy or including lots of additional sites (and running the risk of attracting further objections). For this reason, it is recommended that the Local Plan identifies, within its text and through a key diagram, the broad areas that are likely to be considered for possible housing growth in the longer-term, post 2024, but that the detailed planning and the identification of specific sites in those areas be undertaken through a review of the Local Plan before 2024. This would involve a full update of all the relevant technical evidence and extensive consultation with residents and other stakeholders on a range of options.

The evidence of housing land availability suggests that beyond 2024, it will not be possible for all settlements to sustain continued increases in housing stock because there are practical physical, environmental and infrastructure limits affecting certain areas including Brightlingsea and Frinton & Walton. Therefore, in the longer term, the Council will need to consider options for concentrating the majority of new development in the key locations which are most likely to be the periphery of Clacton, West Tendring/Colchester Fringe and possibly Harwich. These locations are also identified in the 2013 Economic Development Strategy as the areas most capable of supporting economic growth. It is therefore recommended that the text of the Local Plan be amended to refer, in very broad terms, to these locations.

### **The Spatial Strategy**

The spatial strategy in the Draft Local Plan was for every town and village in the district to accommodate a 6% increase in housing stock over the 10 year period 1<sup>st</sup> April 2011 to 31<sup>st</sup> March 2021. The rationale behind this was to achieve a fair distribution of housing development across the district that was proportionate in scale to the size of existing settlements and would therefore avoid any argument from residents that one part of the district was being given preferential treatment over another. Whilst this strategy has proven to be very popular both amongst the development industry and many residents, it attracted objections from Essex County Council, Colchester Borough Council and some aggrieved landowners, developers and members of the public who were concerned that the strategy was based on an arbitrary percentage figure as opposed to robust technical evidence and was therefore unlikely to withstand the scrutiny of a Planning Inspector through the examination process.

To counter any argument that the spatial strategy in the Local Plan was arbitrary, officers have commissioned an update to the Council's Strategic Housing Market Assessment (SHMA) and prepared a new Strategic Housing Land Availability Assessment (SHLAA); the two pieces of

evidence that the government expects all Councils to produce in support of their Local Plans. These updated assessments demonstrate that, for the majority of the district's towns and villages, an approximate 6% increase in housing stock over 10 years represents a sound and deliverable strategy.

The evidence however suggests that beyond 2024, it will not be possible for all settlements to sustain continued increases in housing stock because there are practical physical, environmental and infrastructure limits affecting certain areas and therefore the Council will need to consider options for concentrating the majority of new development in the key locations mentioned above under 'Longer Term Growth'.

To address the various objections received, it is recommended that the spatial strategy for growth does not change significantly but that it is presented in a different way to reflect the updated pieces of technical evidence. In essence, most settlements will still accommodate an approximate 6% increase in housing stock over the first 10 years of the extended time frame (2014-2024). However, there will be some exceptions to the rule to allow specific local factors to be taken into account with an acknowledgement that, for the period beyond 2024, the Council will have to review the Local Plan and consider a number of more strategic growth options in selected parts of the district.

### **Economic Development Strategy**

The Council commissioned consultants Regeneris to prepare an 'Economic Development Strategy' for Tendring aimed at identifying measures to facilitate economic growth and creation of new job opportunities. It is important that the Local Plan reflects the objectives of this strategy to give the Council the best opportunity to deliver on its objectives. The objectives are:

- Target specific growth sectors including renewable energy and health;
- Target 'growth locations' (Clacton, Harwich and West Tendring/Colchester Fringe);
- Improve skills and education attainment levels;
- Support businesses to modernise, diversify and grow; and
- Facilitate population growth where this supports economic objectives (build more houses).

It is recommended that the Local Plan reflects these objectives, particularly within the text of Chapter 3 'Planning for Prosperity'.

### **Employment Land**

Alongside the Economic Development Strategy, the Council also commissioned Regeneris to prepare an 'Employment Land Review' to look at the supply of employment sites for business and industrial purposes including sites already in existence, sites allocated in the Draft Local Plan and sites put forward by third party landowners. This study compared the anticipated demand for business and industrial premises with the supply of land and then put forward recommendations for which sites should be allocated or protected in the Local Plan.

The main conclusion from the study was that the amount of employment land identified in the Draft

Local Plan was far in excess of what was likely to be needed to meet the anticipated demand, by almost ten times. In assessing individual sites, the study concluded that the majority of sites already in operation should be protected as they provide good locations for existing local businesses to either remain, expand, diversify or relocate. However, for sites allocated in the Draft Local Plan but yet to be developed, there were a number that were considered unlikely to attract investment within the timescale of the plan and there was consequently limited justification for continuing to allocate them. The most notable examples were land west of Station Road, Parkeston and the sites at Horsley Cross and it is recommended that these areas be deleted from the Local Plan.

### **A120/A133 Link Road**

In extending the time frame of the Local Plan to 2029, as recommended above, and in meeting the requirements of the 'duty to cooperate', the Council needs to start thinking about the longer-term options for growth. One of these options is development in West Tendring/Colchester Fringe – an option that the Economic Development Strategy suggests will benefit both Tendring and Colchester. However, for any development in this location to even be considered, it is essential for a link road between the A120 and the A133 to be constructed otherwise the existing transport network (particularly running through the centre of Colchester) would be crippled. Therefore it is recommended that Policy PRO1 be amended to include an additional transport project to *“explore opportunities, in partnership with Essex County Council, Colchester Borough Council, Essex University and the Highways Agency, to create a north/south link between the A120 and the A133 to improve connectivity, support longer-term economic growth and relieve the flow of traffic through Elmstead Market”*.

This will allow time for the Council, working with relevant partners, to explore all potential sources of funding during the first 10 years of the Local Plan period so that an eastern expansion of Colchester into Tendring could be considered, in more detail, as part of the next Local Plan review.

### **Primary and Secondary Shopping Frontages in Town Centres**

It is recommended that Policies COS2: 'Clacton Town Centre', HAD3: 'Dovercourt Town Centre', FWK2: 'Walton-on-the-Naze Town Centre', FWK3: 'Frinton-on-Sea Town Centre', MLM1: 'Manningtree Town Centre' and BRI1: 'Brightlingsea Town Centre' be replaced with a single new policy in Chapter 3 of the Local Plan.

These policies were originally designed to set out what uses shop units in the core parts of our town centres would be permitted, taking into account the economic performance of each centre and the likely impact that an increase online shopping and supermarket shopping might have on the retail function of our town centres.

However, objections from Harwich Town Council raised concerns that the policy for Dovercourt Town Centre, in particular, was too flexible and could result in a substantial loss of retail use (Use Class A1) to other uses such as financial and professional services, restaurants, cafes and drinking establishments. Harwich Town Council suggested that the policy for Brightlingsea Town Centre provided a more robust approach that allowed a suitable level of flexibility and that this approach should apply to other town centres.

Planning and Economic Development officers have looked closely at the uses in our town centres and have concluded that Harwich Town Council's suggestion is a reasonable one and that a more consistent approach across all town centres, using a single policy, would be more appropriate. The

Local Plan will still however retain text within each of the 'area chapters' highlighting the unique character of different town centres across the district and the valuable contribution they make, individually, to the local economy.

### **Housing Supply**

Housing supply and housing numbers tend to be the most debated issues at Local Plan examinations and very often prove to be the main reasons that Local Plans get rejected or amended by the Planning Inspector. Now that regional housing targets have been formally abolished, the government requires Councils to boost significantly the supply of housing by ensuring Local Plans meet the full, objectively assessed need for market and affordable housing in their area.

During the last public consultation exercise, a relatively small number of landowners and developers suggested that the Council had under-estimated the amount of housing development needed in the district and had not provided sufficient evidence to justify the figures in the Draft Local Plan. In complete contrast, some members of the public suggested that the Council had over-estimated the need for new housing because the results of 2011 Census showed that the population had not grown at all since 2001. Whilst this issue clearly divides opinion, the Planning Inspector will ultimately expect the Council to justify the figures for housing growth in the Local Plan with robust and objective evidence.

The two pieces of evidence that all Councils are expected to produce to inform the housing aspects of their Local Plans are a Strategic Housing Market Assessment (SHMA) and a Strategic Housing Land Availability Assessment (SHLAA). Both of these studies have been updated to provide the latest position with regard to the housing market and housing sites, as at April 2013.

The latest version of the 'SHMA' concludes that the requirement for housing between now and 2029 is likely to be around 685 homes per annum which considers the latest household projections published on 9<sup>th</sup> April 2013 by the Department of Communities and Local Government and other available data. The Economic Development Strategy also recommends the construction of as much new housing as possible as a means of generating growth in the economy. In reality, the likelihood of being able to deliver more than 10,000 new homes in the district over 15 years is extremely optimistic and the prospect of growth on this level would no doubt cause significant alarm amongst our communities, however in accordance with the National Planning Policy Framework, the Planning Inspector will expect the Council to allocate sufficient sites to meet this requirement, in full, unless it can demonstrate good planning reasons not to do so.

This is where the 'SHLAA' is critical because it assesses potential development sites across the district to determine how much housing development can realistically be achieved taking physical, environmental and infrastructure constraints into account and making sensible assumptions about the likely rate of housing development in a recovering economy. The latest version of the SHLAA concludes that for the 10 year period between 2014 and 2024, it will only be realistic, at best, to expect around 4,000 homes to be delivered in the district (an average of 400 a year) which represents 6% growth in the existing housing stock. This suggests that the housing growth figure in the Draft Local Plan is justified by the evidence.

Having established the amount of housing development to be delivered in the area, the National Planning Policy Framework requires Councils to be in a position to identify, in any one year, sufficient sites to deliver five years worth of housing with an additional 'buffer' of either 5% in areas where housing requirements have been met or 20% in areas where there has been persistent

under-delivery. On the basis that the objectively assessed need for housing is 685 homes a year and actual housing development over the last 10 years has only fluctuated between 200 and 500 homes a year, it is highly likely that the Inspector will expect the Council to incorporate a 20% flexibility buffer into the Local Plan. In essence, this means that for every 5 homes the Local Plan aims to deliver, it should identify sufficient land, in any one year, to deliver 6. This is to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

Because it is proposed that the timeframe of the Local Plan be extended to cover 15 years, the minimum expectation for new housing growth needs to relate to this longer period. Having reviewed the results of the SHLAA and identified sites for inclusion in the Local Plan it is recommended that 3,625 homes be built between years 2014 and 2024 with at least a further 2,000 in the period 2024-2029 – 5,625 homes in total over 15 years. This is however with an acknowledgement that, in reviewing the Local Plan before 2024 to deal with longer term housing requirements, the figure might change depending on what the latest evidence says, nearer the time.

Where Councils are unable to meet their full objectively-assessed need for housing, they are expected to work with adjoining authorities to explore opportunities to address the unmet need in the adjoining area. The 2013 household projections show that Colchester's need for housing is likely to be 1,200 homes per annum, even higher than Tendring's need. This is a level of development that Colchester Borough Council will struggle to meet within its own area, let alone address Tendring's unmet need. Therefore both Councils will most likely need to put forward a robust case for not meeting the full requirements.

If the Planning Inspector chooses to reject the Local Plan over concerns relating to housing numbers, they may require the Council to consider alternative options for delivering an increased level of housing. A significant number of other local authorities have needed to do this in order to proceed with their plans. If this happens, Members may be asked to consider alternative options which could include:

- Increasing the density of housing development (which may cause concerns over housing quality and the socio-economic impact of higher density housing);
- Allocating additional sites in rural areas (which may cause concerns over sustainability and infrastructure provision);
- Increasing the level of development proposed for Clacton (which may cause concerns over infrastructure capacity and the lack of public funding for infrastructure including education provision);
- Working with Colchester Borough Council, Essex University, Essex County Council and the Local Enterprise Partnership (LEP) to explore the opportunities to bring forward a major mixed-use development in the west of the district, close to the edge of Colchester earlier than expected; and
- Working with Colchester Borough Council and Babergh District Council to explore the opportunities for increased housing provision in their areas to help address any unmet need.

Because these alternative options carry their own inherent problems, Officers believe the Council

can put forward a strong case for defending the housing figures in the Draft Local Plan, as proposed for amendment.

### **Aspirational Housing**

The Draft Local Plan included a policy aimed at delivering 'Aspirational Housing' (defined as detached properties with a minimum of two storeys, 4 bedrooms and 2 bathrooms) by requiring at least 30% of new homes on large development sites to meet this definition, with some flexibility to provide large undeveloped, but serviced, plots for people to build a home to their own specification.

This policy attracted a number of objections from developers and landowners (linked to their concerns about the Housing Standards) questioning the justification for the policy. The advice in the updated Strategic Housing Market Assessment was that the Council should consider not limiting the concept of Aspirational Housing to detached properties with four or more bedrooms and should instead seek to achieve the concept of aspirational homes across all size, types and tenures of housing without being overly prescriptive. The advice in the Viability Testing study however was that Aspirational Housing was unlikely to be viable when delivered as part of a housing estate development.

It is recommended that the requirements for Aspirational Housing within large housing developments be deleted but that the policy instead gives more support to large properties of high architectural quality and high levels of energy efficiency in locations outside of settlement boundaries. Such developments are likely to be of more interest to people wishing to build their own home in the district and people wishing to invest in the district and are more likely to introduce new standards of quality and energy efficiency. The revised policy will allow groups of up to 6 aspirational homes within the vicinity of urban areas and Key Rural Service Centres with proposals for single one-off dwellings allowed in more remote rural locations.

### **Anglefield Cliff-Side Hotel Proposal**

This proposal attracted a considerable number of objections (as explained elsewhere in this report) from residents mainly concerned about the impact of the development on the Clacton Seafront Conservation Area, the loss of an attractive open space and the justification for building a new hotel when others in the town were struggling to remain economically viable. It was also highlighted that there is a substantial sewerage pipe running underneath the site that might introduce further complications if development on the site were to take place. In acceptance of these concerns, it is recommended that this proposal be deleted from the Local Plan.

### **New Primary Schools for Clacton**

The housing developments proposed at Rouses Farm, Jaywick Lane and Thorpe Road, Clacton-on-Sea were included in the Local Plan as alternatives to the highly unpopular proposals for land north of the Cann Hall Estate (The Hartley Meadows Neighbourhood Development) and land off Sladbury's Lane (The East Clacton Neighbourhood Development) that were originally muted as part of the Council's 2010 Core Strategy.

The Rouses Farm and Thorpe Road developments of approximately 350 and 300 homes respectively attracted relatively few objections from residents but Essex County Council, as the Local Education Authority, was very concerned that local primary schools were operating at full capacity and that these developments would not deliver a sufficient 'critical mass' of development necessary to justify and deliver brand new primary schools to rectify this issue.



It is recommended that two 2-hectare sites (one in each location) be allocated for the provision of new schools and associated early years and childcare facilities. Because the Council's Viability Testing study suggests that residential developments in Clacton are unlikely to be able to pay for the schools that are needed, the Council is in discussions with Essex County Council to review the evidence that justifies additional school provision and to discuss possible alternative sources of funding.

The possibility of expanding the sites to accommodate additional housing is accepted, in principle, but it is considered that additional housing is more likely to take place post 2024 and is therefore best planned for through the next review of the Local Plan.

### **Development at Turpins Farm, Frinton**

The Draft Local Plan allocated land at Turpins Farm off Elmtree Avenue, Frinton for a development of 50 aspirational homes. Taking on board the suggestion of Frinton and Walton Town Council, only half of the total available site was allocated for development with a view of minimising the visual impact of development on the coastal slopes overlooking Hamford Water and minimising the impact on the Strategic Green Gap between Frinton, Kirby Cross and the stand-alone village of Kirby-le-Soken. The policy relating to the site was also written to limit the scheme to 50 dwellings and that all of these should meet the definition of Aspirational Housing.

This proposal received some very robust objections from the landowner questioning whether there are any legitimate planning reasons why development should be restricted in this way. The landowner suggests that such a prescriptive approach with no genuine evidence to justify it is in conflict with the National Planning Policy Framework and that this places the Local Plan at risk of being rejected by the Planning Inspector. The landowner also questions the practicality of achieving a suitable housing layout on a triangular site.

The landowner's suggestion is that the site area be increased to incorporate a square-shaped area of land but that, in recognising local concerns about impact on the coastal slopes and the Strategic Green Gap, the northern edge of the site remain undeveloped allowing for some attractive open space. The landowner also suggests that a mixed development of around 160 dwellings, at a relatively low density of 20 dwellings per hectare, could be achieved in a high quality and sympathetic way.

There is a concern that the current approach to development on this site is overly prescriptive and would be very difficult to justify in front of the Planning Inspector at the examination. The landowner's objections therefore appear reasonable and, mindful of local concerns, they have sought to incorporate measures to minimise the impact of development. It is therefore recommended that the site area be increased in size and some of the restrictions be removed to allow a mix of dwelling size, type and tenure but that the policy also be amended to ensure that new dwellings cannot be occupied until issues regarding limited primary school capacity in the wider Frinton and Walton area are addressed.

### **Land off Stourview Close, Mistley**

Land north of Stourview Close is being promoted for a housing development of around 60 dwellings through objections from the landowner. The main reason why this site was not included in the Local Plan related to concerns over achieving a suitable access point and concerns about the possible visual impact of development in an area forming part of the proposed extension to the

## Suffolk Coast and Heaths Area of Outstanding Natural Beauty.

However, the landowner has submitted evidence on visual sensitivity which suggests that the site adds very little to the natural beauty of the wider area and has also identified a potential means of access that, subject to acquiring the necessary land, provides an acceptable highways solution. Officers are also aware that Mistley Parish Council has indicated broad support, in the past, for this particular site to be developed if there was a need for Mistley to expand and that the Lawford Residents Association's objections request that development be spread more equally between Lawford and Mistley. Therefore Officers recommend the inclusion of this site in the Local Plan for housing development.

### **Development in Elmstead Market**

Attracting 25% of all the representations submitted in response to the Draft Local Plan, the approach to housing development in Elmstead Market has had to be comprehensively re-evaluated. Originally, the Council allocated land off Holly Way/Meadow Close for a development of 40 dwellings with a new community hall, open space and allotments – aiming to achieve some of the aspirations of the Parish Council. However, an alternative proposal aimed at delivering all of the same community benefits through a development of only 20 dwellings, west of Church Road, was submitted in response to the Local Plan and publicised throughout the village by the developer (Knight Developments) and the Elmstead Market Community Hall Action Team (EMCHAT).

The Council then received a large number of comments in support of the alternative proposal from local residents, although officers are concerned that the magnitude of local support might have been exaggerated and skewed by Holly Way residents looking to divert development away from their end of the village.

In trying to reach a balanced solution that is both technically sound from a planning perspective but also takes on board, as far as practical, the views expressed by local residents, it is recommended that a smaller area of land off Meadow Close remains in the Local Plan for a scheme of approximately 20 dwellings and that the alternative proposal for land off Church Road also be included in the Local Plan, to deliver 20 dwellings along with the proposed community benefits (which also include a new pedestrian crossing at the western end of the village). This is a solution understood to be supported by both landowners. Whilst this approach may resolve a fair number of the objections submitted by local residents, there will still be some residents aggrieved that land off Holly Way/Meadow Close, albeit for a smaller development, remains in the Local Plan and there will be some residents of Church Road who will undoubtedly object to the inclusion of the alternative site.

### **Development in Alresford**

The proposal for 50 dwellings and commercial development on land off Cockayne's Lane, Alresford initially only attracted a small number of objections. However, following the public consultation exercise, Alresford Parish Council called a public meeting after a number of residents expressed concerns about the potential traffic and highways impacts of development in this location. At the public meeting which was attended by Officers, residents called for the various potential housing sites around the village to be re-evaluated. This call was reinforced through a large number of letters from Alresford residents submitted to the Chairman of the Community Leadership and Partnership Committee which were considered at the 21<sup>st</sup> October 2013 meeting.

On closer inspection, Officers determined that the proposed point of access at Cocokaynes Lane

would not be wide enough to access the site allocated in the Local Plan and would therefore need to be widened. In response to the concerns raised by local residents, it is accepted that widening the access via the lane would require the removal of trees, hedges and other features that are important to its special character and environmental attributes.

Calls, from residents, for an alternative site off St. Andrew's Close to be included in the Local Plan were originally rejected because it had been designated as a 'Local Wildlife Site' in recognition of a habitat of 'glow worm beetles', a rare and declining species. However, Officers undertook more research into glow worm beetles in liaison with the Essex Wildlife Trust and learned that, whilst relocation of such species is normally treated as a 'last resort', this could be achieved if development were to be allowed.

In acceptance of local concerns about the impact of development on the character and environmental attributes of Cockaynes Lane and in establishing that the habitat of glow worm beetles in St. Andrew's Close can be relocated, it is proposed that the development proposals for proposed through Policy KEY1 be deleted from the Local Plan and that the alternative land off St. Andrew's Close be allocated for the 50 dwellings envisaged. This change is likely to result in some counter objections from the promoters of land off Cockaynes Lane (including Taylor Wimpey) and residents of the St. Andrew's Close area but it is considered to be a more acceptable solution to Alresford's growth requirements than the proposal originally included in the Draft Local Plan.

### **Development in St. Osyth**

In response to the considerable level of objection to housing development in St. Osyth from local residents, officers re-evaluated the approach in more detail and discovered that the three sites allocated in the Draft Local Plan were subject to legal covenants that are likely to prevent development before 2020. These relate to the sale of the land from Essex County Council to the current landowner a number of years ago. These restrictions bring into question the likelihood of these sites being deliverable within the first 10 years of the revised Local Plan period and therefore the deletion of all three sites from the Local Plan is recommended. There were also concerns about the uncertainty surrounding proposals for residential enabling development associated with the restoration of St. Osyth Priory which may, or may not, have implications for housing supply at some point within the early part of the Local Plan period. For these reasons, it is recommended that the three housing sites in St. Osyth be deleted from the Local Plan.

## **OTHER SIGNIFICANT CHANGES**

Alongside the most significant changes explained above, there are a number of other recommended changes that are considered to be 'major' in that they will have a bearing on the meaning and interpretation of certain parts of the Local Plan, although not as significant as those highlighted above.

**Policy SD8: 'Transport and Accessibility':** It is recommended, on the advice of Essex County Council, that this policy be amended to remove the 'hierarchy of transport modes' which is no longer considered to be in line with current government or County Council thinking.

**Policy PRO1a: 'Improving the Public Transport Network':** This is a new policy recommended for inclusion in the Local Plan in response to comments from the local rail users association which aims to heighten the profile and emphasise the importance of public transport in Tendring and put

the Council in a stronger position to attract investment in services and facilities from bus and train companies.

**Policy PRO2: Improving the Telecommunications Network:** It is recommended that this policy incorporates a degree of flexibility to acknowledge instances where the requirements of the policy are genuinely not physically or financially possible to achieve.

**Policy PRO9: 'Holiday Parks' and Policy PRO10: 'Camping and Caravanning':** It is recommended that these policies be amended to allow more flexibility for any planning conditions or license agreements restricting a camping or caravanning site's occupancy times to be negotiated between the Council and the site owners/operators to take into account a variety of factors, not just flood risk.

**Policy PEO4: 'Standards for New Housing':** It is recommended that this policy be amended to reflect the adopted Local Design Guide's minimum internal floor areas on the advice of Essex County Council. These are broadly comparable to the standards originally set out in the Draft Local Plan. The revised policy will also include 'aspirational' standards that will apply to any Aspirational Housing secured through Policy PEO8.

**Policy PEO5: 'Housing Layout in Tendring':** It is recommended that this policy be amended to better reflect the National Planning Policy Framework which discourages policies that are too prescriptive when it comes to design and layout. The revised policy will provide more general requirements that still follow the thrust of seeking to secure high quality design and layout in new housing developments.

**Policy PEO11: 'Rural Exception Sites':** It is recommended that this policy be amended to better reflect the National Planning Policy Framework which does allow affordable housing schemes in rural areas to be cross-subsidised by an element of market housing.

**Policy PEO15: 'Traveller Sites':** It is recommended that this policy be updated to reflect the fact that the Council has now granted planning permission for an additional 5 traveller pitches at Woodfield Bungalow, Great Bentley and to allude to the fact that a new country-wide Gypsy and Traveller Accommodation Assessment (GTAA) is being prepared which could have a bearing on the provision of traveller sites in the longer term.

**Policy PEO17: 'Living Accommodation for Family Members':** It is recommended that this policy be deleted as it is considered unnecessary and sufficiently covered by other policies in the Local Plan.

**Policy PEO22: 'Green Infrastructure in Residential Development':** It is recommended that this policy be amended to only require a 10% on-site open space contribution on housing sites of 10 hectares or more to ensure that any new open spaces are practical, usable and efficient to maintain.

**Policy PLA6: 'The Historic Environment':** It is recommended that this policy be significantly reduced in length to make it more readable and user friendly whilst still ensuring the Local Plan contains sufficient coverage for heritage-related issues. The revised policy will also include reference to the 'Historic Towns Designation' that is proposed to be re-instated in response to a large number of objections from St. Osyth residents.

**Policy PLA10: 'Renewable Energy Installations':** It is recommended that this policy be updated

in light of the significant number of planning applications for 'solar farms' that the Council has received in the last year. The revision to the policy will seek to guide such proposals away from agricultural land that is classed as the 'best and most versatile' – grades 1 to 3a which will help address concerns about the loss of high grade farm land.

**Policy COS5: 'Warwick Castle Market Site'**: It is recommended that this policy be deleted to reflect the fact that this site is now under construction for a food store and is no longer relevant.

**Policy COS12: 'Development at Rouses Farm, Jaywick Lane', Policy COS13: 'Development South of Clacton Coastal Academy, Jaywick Lane/Rush Green Road; and Policy COS14: 'Development East of Rush Green Road'**: It is recommended that these policies be amended to ensure that the developments proposed for the western side of Clacton each make a fair contribution (if viable) toward delivering new facilities needed in the area and does expect the Rouses Farm development to bear the full cost of this infrastructure. The changes also allow for innovative solutions to sewage treatment capacity issues in west Clacton to be considered on their merits.

**Policy COS15: 'Development East of Thorpe Road' and Policy COS16: 'Development South of Centenary Way'**: It is recommended that each of these policies be amended to ensure both the developments make a fair contribution (if viable) toward the provision of a new primary school needed in the north Clacton area.

**Policy COS19: 'New Primary, Early Years and Childcare Provision in Clacton'**: This is a new policy recommended for inclusion in the Local Plan designed to address the need for new primary schools in Clacton and provide a more robust framework to ensure land is acquired by Essex County Council as the Local Education Authority for the provision of these facilities.

**Policy FWK4: 'Frinton and Walton Conservation Area'**: It is proposed that this policy be deleted from the Local Plan in response to objectors, including Essex County Council, that suggest that designating the whole of the Frinton Ward as a Conservation Area is not justified by robust evidence of the area's character and could devalue the importance of those areas within the Conservation Area, as currently designated. There were also suggestions that if the Conservation Area is to cover the whole Frinton Ward, it should also cover Walton Ward as well. Supporting text will still be included in the Local Plan to outline the Council's intention to review the Conservation Area in the Frinton area to see whether any further extensions can be justified, outside of the Local Plan process.

**Policy FWK6: 'The Martello Development'**: It is recommended that a number of criteria in this policy be amended in response to some of the comments received, including the addition of a requirement to ensure that new dwellings cannot be occupied until issues regarding limited primary school capacity in the wider Frinton and Walton area are addressed.

**Policy FWK7: 'Walton Mere'**: It is recommended that this policy be amended in response to some of the comments received, including the addition of a requirement for any impact of development on the wildlife on the site to be either off-set or compensated for.

**Policy FWK8: 'Station Road and Avon Works'**: It is recommended that this policy be amended to incorporate a greater degree of flexibility to enable a range of uses to be considered on their merits. The revised policy will also include criteria aimed at ensuring the retention or relocation of the Sea Cadets and ensuring improvements to the public realm in and around the Walton railway station.

**Policy COU1: 'Plotland Development':** It is recommended that this policy be simplified and strengthened to ensure better protection against development in response to comments from Wrabness Parish Council.

**Policy COU3: Conversion or Re-Use of Rural Buildings in the Countryside':** It is recommended that this policy be amended to take a more flexible approach toward the use of rural buildings for residential purposes and therefore bring it more in line with current government thinking and the requirements of the National Planning Policy Framework.

**New Policy COU11:** It is recommended that a one-off policy be included in the plan to enable a comprehensive 'community development' to take place in Great Oakley, as supported by the Parish Council, to ensure it delivers a new village hall and car park alongside new village housing.

## MINOR CHANGES TO THE LOCAL PLAN WRITTEN STATEMENT

Alongside the major changes to the Local Plan explained in this report above, there are a series of recommended minor changes. These include minor amendments to the wording of policies or supporting text aimed at addressing less serious objections, eliminating small errors and generally improving wording, making factual changes and ensuring consistency throughout the document where consequential changes result from other, more fundamental changes elsewhere. Changes of this nature do not tend to have any significant bearing on how policies and proposals are to be interpreted or applied. It is recommended that, for completeness, these changes are also published for consultation but they are unlikely to attract significant interest.

Notable examples include:

- Ensuring that all sections of the Local Plan refer, correctly, to the extended time-frame of 15 years between 2014 and 2029 and the revised housing and job creation figures;
- Updating the text to accurately reflect the latest position with regard to neighbouring authorities and the progress they are making on their Local Plans;
- Ensuring that any paragraphs in support of policies proposed for major changes in the Local Plan are updated accordingly to reflect the content of the revised policies;
- Inclusion of additional text in support of the Council Housing Policy (PEO10) to include the obligatory 'housing needs figure' which is taken from the Council's Strategic Housing Market Assessment (SHMA) update;
- Inclusion of additional text in support of the Nature Conservation and Geo-diversity Policy (PLA4) to introduce the concept of 'biodiversity offsetting' as a means of compensating for the loss of habitats as a result of development – a project that has recently been piloted by Essex County Council;
- Inclusion of additional text in support of the Historic Environment Policy (PLA5) to explain how the re-introduced 'Historic Towns' designation for Harwich, Manningtree and St. Osyth

will work in practice; and

- Changes to the targets in the 'Monitoring and Implementation' Chapter of the Local Plan to reflect the revised timescales and expectations for growth.

## **CHANGES TO THE POLICIES MAP (SEE APPENDIX A1c)**

Alongside the major changes to the Local Plan explained in this report above, there are a series of recommended changes to the Policies Maps which include the adjustment of Settlement Development Boundaries in response to concerns from residents in rural areas, the expansion or deletion of certain development sites and other consequential changes required as a result of changes to policies.

Notable examples include:

- The deletion of the employment land allocations at Horsley Cross and Station Road, Parkeston;
- The removal of all protected holiday parks on the edge of towns and villages from the 'Settlement Development Boundaries' to allay any fears about the possible redevelopment of these sites for housing;
- The allocation of land for the provision of new schools and associated early years and childcare facilities off Jaywick Lane and Thorpe Road, Clacton;
- The deletion of the Anglefield Cliffside Hotel Proposal and the reinstatement of that land as protected open space;
- The extension of the housing allocations at Turpin's Farm, Frinton and Robinson Road, Brightlingsea;
- Alterations to the Primary Shopping Frontages in Clacton and Manningtree Town Centres;
- The reinstatement of the 'Historic Towns' designation for Harwich, Manningtree and St. Osyth;
- The allocation of land off Stourview Close, Mistley for housing development;
- Changes to the land allocated for housing and mixed-use development in Alresford and Elmstead Market;
- Tightening of the Settlement Development Boundaries in Bradfield, Great Holland, Little Clacton, John De Bois Hill and Kirby-le-Soken and the deletion of the boundaries around Chisbon Heath and Elmstead Heath;
- The specific identification of land in Great Oakley to deliver a 'community development' that will deliver a new village hall and car park alongside housing; and
- The deletion of the three allocated housing sites to the south of St. Osyth.

## THE CONSULTATION DOCUMENTS

The three documents that will be published for consultation will comprise the 'major changes to the written statement', 'minor changes to the written statement' and 'changes to the policies maps'. For each proposed change, the documents contain the following information:

**Change reference:** This is a unique code for each of the proposed changes (e.g. MAJ1.1 denoting the first major change to Chapter 1, MIN4.3 denoting the third minor change to Chapter 4 or PMI18.1 denoting the first change to Policies Map Inset 18 for Bradfield and Bradfield Heath).

**Type of change:** A broad indication of what type of change is being suggested, e.g. the deletion of text, a significant change to policy wording or the inclusion of new policy.

**Proposed Change:** The sections of text affected by one or more proposed changes are shown with 'tracked changes'. The proposed addition of text shown as **highlighted text** and the proposed deletion of text shown as ~~struck through text~~. This allows readers to see quite clearly how the text is being changed so they do not have to compare one text with another to 'spot the difference'. Changes to the policies map cannot be presented in this way so they are shown as 'before and after' scenario.

**Reason for change:** A brief account of why the change is proposed. In the majority of cases it will be to address objections received during the last consultation exercise or to reflect other proposed changes to the plan.

**Necessary consequential changes:** This lists all of the paragraphs, policies or policies maps that need to change as a consequence of the main change being proposed.

## THE CONSULTATION EXERCISE

It is proposed that the three documents are published for consultation for a period of six weeks and that this consultation exercise is publicised through correspondence with all previous respondents to the Local Plan, all statutory consultees including Parish and Town Councils and, if possible, press coverage.

The documents will be made available to view on the Council's website with paper copies at Council Offices and Libraries. Paper copies will also be sent to all Town and Parish Councils. Interested parties will be able to comment on the proposed changes through the Council's website or using e-mails, faxes or letters.

It is not proposed to hold a road show of exhibitions, as has been done in the past, as the changes will only affect a selected number of areas. However, Parish and Town Councils or District Councillors will be able to organise their own exhibitions or public meetings if they feel it is in the interest of their residents to do so. In these cases, officers will provide any support that is needed, as far as is practical and appropriate.



## **SUBMISSION TO THE SECRETARY OF STATE**

It is proposed that following the consultation exercise the revised Local Plan, incorporating the pre-submission focussed changes, be submitted along with other necessary documentation to the Secretary of State to commence the process of examination by a Planning Inspector.

It is however recommended that if any comments are received during the consultation period that raise issues of genuine concern about the soundness of the Local Plan, its compatibility with the National Planning Policy Framework and, therefore, the likelihood of it being accepted by the Planning Inspector, these be reported to the Cabinet before the plan is submitted.

If any further fundamental changes to the Local Plan are required, all Members will once again be involved in the shaping of these and further public consultation will be required.

## **MINOR CORRECTIONS TO TEXT AND MAPS**

Since the pre-submission focussed changes were first considered by the Cabinet on 4<sup>th</sup> October 2013 and subsequently considered by the Community Leadership and Partnership Committee on 21<sup>st</sup> October 2013, officers have taken all reasonable opportunities to make necessary minor corrections and consequential changes to the content of the documents to ensure they are correct, accurate and up to date. These include any typographical errors, minor cartographical errors and minor improvements to policy wording. None of these changes affect the thrust or meaning of any policies or proposals in the revised Local Plan.

## **APPENDICES**

Appendix A1(a) – ‘Major Changes to the Local Plan Written Statement’  
Appendix A1(b) – ‘Minor Changes to the Local Plan Written Statement’  
Appendix A1(c) – ‘Changes to the Local Plan Policies Maps’

## **BACKGROUND PAPERS**

- Economic Development Strategy (2013)
- Employment Land Review (2013)
- Viability Testing (2013)
- Strategic Housing Market Assessment (SHMA) Update (2013)
- Strategic Housing Land Availability Assessment (SHLAA) (2013)